

Case# 2018-14059-14 Docketed at Montgomery County Prothonotary on 06/20/2018 4:19 PM, Fee = \$0.00. The filer certifies that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

Joanne C. Lewers (ID No. 81195)
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joanne.lewers@dbr.com

Attorney for Defendants Express Scripts Holding Company, Express Scripts, Inc., CuraScript, Inc., CuraScript SD, Accredo Health Group, Inc. and United BioSource Corporation, now known as United BioSource LLC., a wholly owned subsidiary of United BioSource Holdings, Inc.

INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 542	:	IN THE MONTGOMERY COUNTY COURT OF COMMON PLEAS
v.	:	
MALLINCKRODT ARD, INC., formerly known as QUESTCOR PHARMACEUTICALS, INC.	:	No. 2018-14059
MALINCKRODT PLC	:	
EXPRESS SCRIPTS HOLDING COMPANY	:	
EXPRESS SCRIPTS, INC.	:	
CURASCIPT, INC.	:	
CURASCIPT SD	:	
ACCREDO HEALTH GROUP, INC.	:	
and	:	
UNITED BIOSOURCE CORPORATION, now known as UNITED BIOSOURCE LLC, a wholly owned subsidiary of UNITED BIOSOURCE HOLDINGS, INC.	:	

MOTION FOR ADMISSION PRO HAC VICE OF MATTHEW M. MARTINO

Defendants Express Scripts Holding Company, Express Scripts, Inc., CuraScript, Inc., CuraScript SD, Accredo Health Group, Inc., and United Biosource Corporation, now known as United Biosource LLC, a wholly owned subsidiary of United Biosource Holdings, Inc.

(collectively, the “Express Scripts Defendants”), by and through their undersigned counsel, respectfully move this Court pursuant to Pennsylvania Bar Admission Rule 301 and Pennsylvania Rule of Civil Procedure 1012.1 for the admission *pro hac vice* of Matthew M. Martino in this matter. In support, Express Scripts Defendants aver as follows:

1. Express Scripts Defendants seek to have Mr. Martino admitted *pro hac vice* in this matter for the purposes of representing the Express Scripts Defendants.

2. Mr. Martino is an attorney with Skadden, Arps, Slate, Meagher & Flom LLP, Four Times Square, New York, NY 10036-6522, telephone number (212) 735-3000. *See Ex. A, Verified Statement of Matthew M. Martino ¶ 1.*

3. Mr. Martino is admitted to practice in the state of New York (Bar number 4142196, admitted in 2003). Mr. Martino is also admitted to practice in the Eighth Circuit Court of Appeals (admitted in 2018) and the Southern and Eastern Districts of New York (admitted to each in 2008). *See id. ¶ 2.*

4. Mr. Martino is a member in good standing of the bars of the Courts listed in Paragraph 3. *See id.*

5. Mr. Martino is not subject to any disciplinary proceedings and is not currently suspended or disbarred in any Court. *See id. ¶ 3.*

6. Mr. Martino is familiar with Pennsylvania Bar Admission Rule 301 and Pennsylvania Rule of Civil Procedure 1012.1 and will be associated with Joanne C. Lewers of Drinker Biddle & Reath LLP at all stages of this lawsuit.

7. Ms. Lewers is a member in good standing of the bar of the Commonwealth of Pennsylvania. *See Ex. B, Verified Statement of Joanne C. Lewers ¶ 1.*

8. Ms. Lewers is and will remain counsel of record for the Express Scripts Defendants. *See id.* ¶ 3.

9. Pennsylvania Bar Admission Rule 301(a) provides in pertinent part:

An attorney, barrister, or advocate who is qualified to practice in the courts of another state or of a foreign jurisdiction may be specially admitted to the bar of this Commonwealth for purposes limited to a particular matter. An attorney, barrister or advocate admitted *pro hac vice* in a matter shall not thereby be authorized to act as attorney of record in such matter.

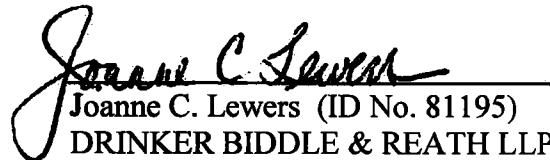
10. A Pennsylvania Court shall grant a motion for admission *pro hac vice* “unless good cause for denial shall appear.” *Id.* at 301(b)(2); *see also* Pa.R.C.P. No. 1012.1(e) (“The court shall grant the motion unless the court, in its discretion, finds good cause for denial.”). No good cause exists to deny this request for *pro hac vice* admission.

11. The fee required by Section 81.505(a) of the Pennsylvania IOLTA Board Regulations for *Pro Hac Vice* Admissions has been paid and the information required by Section 81.504 of the Pennsylvania IOLTA Board Regulations for *Pro Hac Vice* Admission has been provided to the IOLTA Board. *See* Ex. C, IOLTA Verification Letter, dated June 19, 2018.

WHEREFORE, the Express Scripts Defendants respectfully request that the Court specially admit Matthew M. Martino *pro hac vice* on behalf of the Express Scripts Defendants in this matter.

Dated: June 20, 2018

Respectfully submitted,



Joanne C. Lewers (ID No. 81195)

DRINKER BIDDLE & REATH LLP
One Logan Square, Suite 2000
Philadelphia, PA 19103-6996
Telephone: (215) 988-2700
Facsimile: (215) 988-2757

Attorney for Defendants Express Scripts Holding Company, Express Scripts, Inc., CuraScript, Inc., CuraScript SD, Accredo Health Group, Inc., and United BioSource Corporation, now known as United BioSource LLC, a wholly owned subsidiary of United BioSource Holdings, Inc.

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MALINCKRODT PLC	
EXPRESS SCRIPTS HOLDING COMPANY	
EXPRESS SCRIPTS, INC. CURASCIPT, INC. CURASCIPT SD	
ACCREDO HEALTH GROUP, INC.	
and	
UNITED BIOSOURCE CORPORATION, now known as UNITED BIOSOURCE LLC, a wholly owned subsidiary of UNITED BIOSOURCE HOLDINGS, INC.	

ORDER

AND NOW, this _____ day of _____, 2018, it is hereby **ORDERED**
AND DECREED that the Motion for Admission *Pro Hac Vice* is GRANTED, and Matthew M. Martino, of Skadden, Arps, Slate, Meagher & Flom LLP is hereby admitted *Pro Hac Vice* before this Court for purposes of this matter. Mr. Martino shall comply with all applicable Pennsylvania Rules of Court.

BY THE COURT:

Hon. Gary S. Silow

EXHIBIT A

INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 542	:	IN THE MONTGOMERY COUNTY COURT OF COMMON PLEAS
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EXPRESS SCRIPTS, INC.	:	
CURASCIPT, INC.	:	
CURASCIPT SD	:	
ACCREDO HEALTH GROUP, INC.	:	
and	:	
UNITED BIOSOURCE CORPORATION, now known as UNITED BIOSOURCE LLC, a wholly owned subsidiary of UNITED BIOSOURCE HOLDINGS, INC.	:	

VERIFIED STATEMENT OF MATTHEW M. MARTINO

I, Matthew M. Martino, Esquire, make this statement in support of my request for admission *pro hac vice* to appear in this matter before the Court of Common Pleas.

1. I am an attorney at law in the State of New York and a partner with Skadden, Arps, Slate, Meagher & Flom LLP at Four Times Square, New York, NY 10036-6522, telephone number (212) 735-3000.
2. I am an attorney in good standing of the bar of the state of New York (Bar number 4142196, admitted in 2003). I am also admitted to practice in the Eighth Circuit Court of Appeals (admitted in 2018) and the Southern and Eastern Districts of New York (admitted to each in 2008).

3. I have never been suspended, disbarred or otherwise disciplined. Nor have I been subject to any disciplinary proceedings.

4. I have not applied for *pro hac vice* admission in any other pending actions in Pennsylvania. Previously, I have applied for *pro hac vice* admission in one federal action in Pennsylvania. No motions for my admission have been denied.

5. I agree to comply with and be bound by the applicable statutes, case law, and procedural rules of the Commonwealth of Pennsylvania, including the Pennsylvania Rules of Professional Conduct.

6. I further agree to submit to the jurisdiction of the Pennsylvania courts and the Pennsylvania Disciplinary Board with respect to acts and omissions occurring during my appearance in this matter.

7. I am familiar with Pennsylvania Bar Admissions Rule 301 and Pennsylvania Rule of Civil Procedure 1012.1, and attest that I will be associated with Joanne C. Lewers, Esquire, at all stages of, and for the purposes limited to, this lawsuit.

8. I consent to the appointment of the sponsoring attorney, Joanne C. Lewers, Esquire, as the agent upon whom service of process shall be made for all actions, including disciplinary actions that may arise out of the practice of law in this matter.

I make this statement subject to the penalties of 18 Pa. Const. Stat. § 4904, which relates to unsworn falsification to authorities.

Dated: June 20, 2018

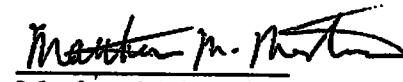

Matthew M. Martino

EXHIBIT B

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CURASCIPT, INC.	:	
CURASCIPT SD	:	
ACCREDO HEALTH GROUP, INC.	:	
and	:	
UNITED BIOSOURCE CORPORATION, now known as UNITED BIOSOURCE LLC, a wholly owned subsidiary of UNITED BIOSOURCE HOLDINGS, INC.	:	

VERIFIED STATEMENT OF JOANNE C. LEWERS

I, Joanne C. Lewers, Esquire, make this statement in support of the motion for the admission *pro hac vice* of Matthew M. Martino, to appear in this matter before the Court of Common Pleas.

1. I am a partner with the law firm of Drinker Biddle & Reath LLP with offices at One Logan Square, Suite 2000, Philadelphia, PA 19103-6996, telephone number (215) 988-2700, and am a member in good standing of the bar of the Commonwealth of Pennsylvania, Attorney Identification No. 81195.
2. After reasonable investigation, I reasonably believe that Matthew M. Martino is a reputable and competent attorney and I am in a position to recommend the candidate's admission.

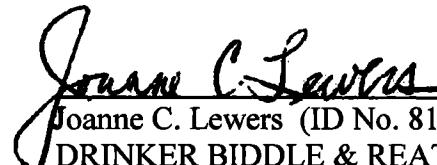
3. I am acting as Mr. Martino's sponsor in this case. I am presently counsel of record for the Express Scripts Defendants in this matter and will remain so throughout the course of this litigation.

4. I am not presently acting as the sponsor of candidates for admission *pro hac vice* in other cases pending before courts of record of the Commonwealth of Pennsylvania.

5. The proceeds from the settlement of a cause of action in this matter shall be received, held, distributed and accounted for in accordance with Rule 1.15 of the Pennsylvania Rules of Professional Conduct, including the IOLTA provisions thereof, if applicable.

6. I make this statement subject to the penalties of 18 Pa. Cons. Stat. § 4904, which relates to unsworn falsification to authorities.

Dated: June 20, 2018



Joanne C. Lewers (ID No. 81195)
DRINKER BIDDLE & REATH LLP
One Logan Square, Suite 2000
Philadelphia, PA 19103-6996
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Attorneys for Defendants Express Scripts Holding Company, Express Scripts, Inc., CuraScript, Inc., CuraScript SD, Accredo Health Group, Inc., and United BioSource Corporation, now known as United BioSource LLC, a wholly owned subsidiary of United BioSource Holdings, Inc.

EXHIBIT C



SUPREME COURT OF PENNSYLVANIA
**PENNSYLVANIA INTEREST ON
LAWYERS TRUST ACCOUNT BOARD**

June 19, 2018

MATTHEW M. MARTINO, Esq.
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
FOUR TIMES SQUARE
NEW YORK, NY 10036

SENT TO ALISSA TURNIPSEED VIA Email: ALISSA.TURNIPSEED@SKADDEN.COM

Dear Attorney MARTINO:

This letter serves as the fee payment certification referenced in 204 Pa Code §81.503 and acknowledges receipt of the \$375.00 fee paid by Online Payment on this date related to your pursuit for admission *pro hac vice* in the case identified as Int'l Union of Operating Eng'r's Local 542 v. Mallinckrodt ARD, Inc., et al., no. NO. 2018-14059, filed in Court of Common Pleas of Montgomery County.

You should refer to Pa Rule of Civil Procedure 1012.1, local court rules, and other regulations of 204 Pa Code §81.501 et. seq. concerning additional requirements related to seeking *pro hac vice* admission.

Sincerely,

A handwritten signature in black ink that reads "Stephanie S. Libhart".

Stephanie S. Libhart
Executive Director

cc: JOANNE CELIA LEWERS, Esq.

joanne.lewers@dbr.com

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